

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

Case No. 02-74634

v.

Honorable Patrick J. Duggan

KEITH MOHN, MOHN ASSET
MANAGEMENT, L.L.C., MOHN
FINANCIAL GROUP, L.L.C., J. PATRICK
KISOR, PDK INTERNATIONAL, INC.,
AGAVE, LTD, GENESIS TRADING
ASSOCIATES, L.L.C.,

Defendants, and

NBC INVESTMENTS, INC., PCM, L.L.C.,
JASON MALKIN, GILBERT HOWARD,

Relief Defendants.

ORDER

At a session of said Court, held in the U.S.
District Courthouse, City of Detroit, County of
Wayne, State of Michigan, on December 16, 2005 .

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

On February 3, 2004, this Court entered a Stipulated Order of Receivership appointing Bradley J. Schram ("Receiver") as receiver over all the assets and affairs of Defendants Agave, Ltd. and Genesis Trading Associates, L.L.C., and Relief Defendants NCB Investments, Inc., and PDK International, Inc., and the monies transferred by EMAC

Trading, L.L.C. to the Clerk of the Court, which are held in a Court Supervised Account. Presently before the Court are the Receiver's Amended Second Omnibus Recommendation for Treatment of Claims and objections.

For the reasons set forth in an Opinion issued this date,

IT IS ORDERED that the claims listed on Exhibits B and C to the Receiver's Amended Second Omnibus Recommendation for Treatment of Claims are allowed in the amount identified under the heading "Net Allowed Investment," and the Receiver shall make distributions on such claims in the amount identified under the heading "Initial Recommended Distribution of 25.8%" on Exhibits B and C.

IT IS FURTHER ORDERED that the claims listed on Exhibit D to the Receiver's Amended Second Omnibus Recommendation for Treatment of Claims are allowed in the amount identified under the heading "Net Allowed Investment", and the Receiver shall make distributions on such claims in the amount identified under the heading "Initial Recommended Distribution of 25.8%" on Exhibit D.

IT IS FURTHER ORDERED that the claims listed on Exhibits E and G to the Receiver's Amended Second Omnibus Recommendation for Treatment of Claims, which list PDK and Agave investor overstated claims, shall be reduced to the amount indicated under the heading "Net Allowed Investment" on Exhibits E and G.

IT IS FURTHER ORDERED that the claims listed in Exhibit F to the Receiver's Second Omnibus Recommendation for Treatment of Claims, entitled PDK Disallowed Claims, shall be disallowed in their entirety.

IT IS FURTHER ORDERED that the following creditors shall be paid the following

amounts: (i) Global Network Trust (Cook Islands) Limited in the amount of \$18,812.32; and (ii) Hanver Corporate Services Ltd. in the amount of \$56,187.68.

IT IS FURTHER ORDERED that the Receiver shall make a second distribution of \$1,844,005.57 of the remaining funds on a pro rata basis to all Agave and PDK listed in Exhibits B, C, D, E, F, and G to the Receiver's Amended Second Recommendation for Treatment of Claims in the amount identified under the heading "Second Recommended Distribution of 5.421%" on Exhibits B, C, D, E, F, and G.

IT IS FURTHER ORDERED that the remaining balance of \$169,553.95 shall be held in reserve for future expenses.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
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